

CASE OF BURNS AND

LEHON IS POSTPONED

Contempt Charge Will
Not Be

Taken Up Until
Friday

Morning

The contempt proceedings against Wm. J. Burns and Dan S. Lehon, his chief aide in the Frank investigation, which was set for Tuesday morning, have been postponed until next Friday morning.

Burns is in New York at the bedside of his wife, who is said to be seriously ill, but expects to reach the city by Friday, and for that reason the postponement has been allowed by Judge Hill, who inaugurated the proceedings following the examination of Annie Maud Carter, Negro witness in the case, who stated Burns and Lehon suggested she leave the city, and paid the expenses of a lengthy trip.

Attorneys generally believe Burns and Lehon, when they are haled before the court, will be able to purge themselves of any contempt charge, by the statement that the woman was sent from the city to protect her from detectives and not that she might fail to appear in court.

WOMAN HAS RETURNED.

When the court ordered her to return in five days, the Burns agents produced her and turned her over to the sheriff in three days.

In addition, the woman was under no subpoena to appear before the court at any date when the Burns agents suggested that she leave the city. The Rule Nisi, ordered drawn by Judge Hill, has not been served on Lehon or the attorneys for himself and Burns, Little, Powell, Hooper & Goldstein.

It is expected, however, that the paper will be drawn within the day and then served on the attorneys.

Although Friday has been set as the definite date for the contempt hearing, it is not improbable that the case will be further postponed. If it is postponed again, it will go over indefinitely, probably, as on Saturday the motion to set aside the verdict against Leo Frank on the ground that he was not in court when it was rendered, is slated for a hearing. The following Monday Judge Hill will take up the routine criminal calendar.

Interest in the Frank case centers more largely in the motion to set aside than in the contempt proceedings against the two detectives.

If an issue of fact is made, as it will be by the solicitor, oral testimony on the motion will be heard. Among the witnesses will be Attorneys Luther Z. Rosser and Reuben R. Arnold, of the defense, who are not connected, however, with the special motion to set aside the verdict. Another interesting witness will probably be Judge L. S. Roan, the trial judge, but now a judge of the court of appeals. Judge Roan will probably go on the witness stand to be examined by the solicitor and the attorneys for Frank on all points connected with receiving the verdict in the absence of Frank.
